



MONTANA/DAKOTAS BLM

Eastern Montana Resource Advisory Council

RAC MEETING MINUTES:

Miles City, Montana: March 24, 2011

Miles City Field Office Main Conference Room

Attending RAC Members: Lance Kalfell, Wayne Sanders, Howard Boggess, Bernard Rose, John Sterchi, Robert Lubbers, Thomas Hohn, Bill Kennedy, Jerry Kaiser, Harold Guse, Tim Lehman

Attending BLM staff: Mark Jacobsen, Jim Sparks, Elaine Raper, Dan Benoit, Janne' Joy, Donna Bradley, Shane Findlay, Lori Harbaugh, Todd Yeager

Attending Public: JT Korkow (Field Rep., Congressman Denny Rehberg), Dave Squires, Dwayne Andrews

Members were welcomed and the meeting was brought to order, housekeeping items and ground rules for the meeting were reviewed. All members were encouraged to participate in the discussions; these meetings are for the Council to come up with ideas and recommendations for the BLM.

Lance asked what criteria were used to determine cultural sites that receive special designation. A site could have buildings, cultural, educational, archeological or other special interest that was determined to need protection.

Robert moved to accept the minutes from the Dec 2010 RAC meeting, Bernie and Thomas seconded and the minutes were accepted.

BLM Budget Briefing (Elaine Raper)

There will be three National 'listening' sessions regarding the O&G fracking that is planned for this area. One will be held in ND, the others in OK and TX. The BLM is in a continuing resolution since October 1. No appropriations have been assigned at this time. BLM is spending conservatively based on 2010 funding levels. No new projects have been started unless funds were appropriated in 2010. No new land acquisitions or construction projects until funding is available. There has been a decrease in funding for wildland/urban interface fuels management.

The cuts that came from the last resolution were primarily for acquisitions. The fuels budgets have been reduced because of decrease congressional support for the program. Emergency fire funding has previously seen cuts and there will not be funding for any horse gathers. BLM is prepared for furloughs if the budget or continuing resolution is not approved. Temporary fire crews will be hired, but the number of personnel may be reduced pending funding issues. Compared to other actions, BLM funding has remained fairly intact.

The BLM budget is over \$1 billion and is down millions, but nothing that really adversely affects operations. This may be due to BLM requesting flat budgets for 2010, 11 and 12. If appropriated funds are not spent by the end of the year, these funds are no longer available.

There are some accounts that allow carryover from year to year, i.e. O&G pilot offices. BLM returns a value to the government from the programs they administer. For every \$1.00 spent by BLM, \$5.00 is returned to the treasury through BLM operations.

Provided an informational pamphlet entitled "The BLM: A Sound Investment for America". BLM directly returns \$4 billion in royalties, leases of lands, commodities; over \$750 million of that comes from Montana. Montana timber returns over \$10 million; \$30 million in grazing receipts; 58 million visitors are using recreational opportunities and contribute about \$4 million to the Montana economy.

The BLM's Proposed FY 2012 budget was handed out. This is similar to what BLM is doing now but new initiatives are coming out and are highlighted in the document.

The Americas Great Outdoors is a Presidential initiative to enhance the outdoors and reconnect the public to the outdoors. The New Energy Frontier is scientifically grounded and environmentally sound for energy and renewable resource management. The Cooperative Landscape Conservation is for Sage Grouse habitat management and Youth in the Great Outdoors is an effort to encourage young people to experience the outdoors.

Discussion of possible affects are if the BLM would shut down and the concerns that projects may not be completed if funding isn't available during the season that work can be done. The MCFO has hired the Mont. Conservation/Youth Corp and seasonal employees are counted in the Youth initiatives.

Field Manager Updates

Miles City Field Office Manager Dan Benoit (acting)

Dan provided his bio and responsibilities in the office. Scenic View Road, nothing to report as county has pursued legal action.

RMP work continues; hosted a collaborator meeting in January to begin work on choosing a preferred alternative. BLM staff are completing the analysis on the preferred alternatives in order to make the final selection. A meeting will be scheduled with the Northern Cheyenne tribe to review the draft document. The preferred alternative will be selected and the draft reviewed with collaborators, MSO and WO. The draft RMP will be available for the public in October.

Dan presented an overview of the minerals program through a slide show. He reviewed O&G wells, solid minerals mines and the sale of mineral materials such as sand, gravel and scoria.

Robert asked about the waste from the pits and was concerned for the bird habitat disruption. Dan stated that mitigation would be integrated into the lease process. Timing stipulations or reseeding may be required. The supplemental EIS for leasing addresses these requirements; the RMP also incorporates mitigation for timing, seeding, location, visual effects, etc.

Shane Findlay discussed the separate management that is followed in Sage Grouse areas. The status is reviewed with companies, FWP and BLM, if the population declines, actions are taken to improve the habitat. A discussion on benefits of planting sagebrush, difficulties and willingness of private land owners and companies to support this habitat improvement ensued.

If wind energy development in Montana increases, BLM will conduct bird and bat studies and address concerns in EIS's completed for projects on public land. Migratory birds, raptors, ground nesters all have different habitat needs and the objective will determine what is approved and what mitigations will be required. The surrounding area will be used to determine native vegetation and the potential for success in future plantings.

Harold asked about the bonding that companies have for recreational areas, especially for future concerns and economic issues. Dan responded that bonding is determined by the activity. The bonding level is required to be 100% plus the overhead, as if BLM were to complete the reclamation (usually results in bonding of 125-128%). The state of Montana does all the bonding for the state. For O&G development, there is a nationwide bonding program.

Billings Field Office Manager Jim Sparks

There aren't any new initiatives, gathers, or proposals for the Wild Horse and Burro program in Montana this year. Fertility control is continuing to be used for managing the herd in the Pryor Mountains.

17 Mile area is a success story: collaborating with the public to manage a recreation site. We have put a lot of emphasis on enforcement and to educating the public to keep the area open. The volunteer reimbursement program changed and it wasn't cost

effective for volunteers to travel to the area. BiFO has hired a seasonal employee for 20-25 hours per week to clean up the area and hand out brochures and meet with people. The garbage starts to show up, when the employee isn't there; There are target restrictions, if people are not shooting paper or metal, they are littering; Law enforcement has issued citations and warnings to users.

The Pompey's Pillar manager retired and BLM is in the interview process for a replacement. Susan Barrow from the Pompey's Pillar Historical Society is on the interview panel. The Crow teepee project, funded by the Park Service, is progressing. The River Walk (sidewalk) project is almost complete. There will be interpretive panels at sites along the "river".

Bill recommended that the BLM might want to improve cooperation with the Worden/Ballentine community or recruit members for the Pompey's Pillar Historical Society as the members are retiring.

The Lily Lake trail EA is almost complete; Ernie and the RAC have been instrumental in developing the horse trail and parking in the East Rosebud area.

The RMP preferred alternative draft is done and has been sent to cooperating agencies, will hold a meeting with cooperators on March 29. Comments will be reviewed and the draft will go forward to the State Office. The SO comments will be addressed and then the RMP draft will be sent to Washington, DC.

The Signal Peak ROD is ready to be issued for the coal leases next week. The Billings Gazette article this morning stated that Great Northern Properties would give up their coal leases to the Northern Cheyenne Reservation and they would receive the federal coal within the mine boundaries.

The Weed program has been working to eradicate Russian Olive on the Yellowstone and replace it with Buffalo berry. Discussed the wild horses in the Pryor Mountains; there weren't any appeals on the fertility control plan for this year. BLM will be checking the herd to determine what effect the winter snow had on the herd.

Discussion of tabled items:

Should the Eastern MT RAC have a chairman? A chairman could have input into the agenda, sign letters and be a central contact for members and BLM staff. Mark would continue to facilitate the meetings.

Member comments included: Liked the current process; this is a complex group and would be difficult to name a chair and vice-chair; attendance could be a problem if both were unable to attend; concerned that a chairman may control the issues brought forward; if not broken, don't "fix" it; the RAC is an issued oriented group; wouldn't want the agenda controlled or limited by any perceived personal agenda; --Consensus from

all the members in attendance that the RAC would continue in the current format and subcommittees could be the primary contact for BLM.

An opening for **Cat 1 Access Subcommittee representative** was discussed: **John Sterchi** volunteered for the position. Wayne made a nomination to accept John to represent Category 1, Robert seconded. All were in favor.

Public Comment Period

Dwayne Andrews:

He was a RAC member six years ago, past DNRC employee and currently employed at FW&P. FWP's biggest issue is access and part of his job is to gain access to public and private land.

He would like the RAC to understand the influence they can have in getting things done on the ground. Certain projects that need to get done may be accomplished quicker through cooperative agreements with DNRC and FWP than working only through the BLM process; not just information exchange, but they may have more ability to get things done than the agency alone.

Dave Squires and Dwayne have experience gaining access and working through projects and would be willing to present the work they accomplished. Recommended that DNRC, FWP, RAC and BLM Recreation staff meet to discuss access issues, travel management plans and with cooperation, be able to gain access to blocks of land. Lance suggested that the county commissioners be involved to provide information on public versus private roads.

Gary Helm:

Is a former rancher and is concerned about the Pumpkin Creek Recreation Area. The area is off the tax rolls and the commissioners had been told it would be leased for grazing to harvest the grasses.

The fuels have been increasing because the area hasn't been grazed for four years. Two years ago he saw what happened on the west side when there was a fire; It burned so hot that it killed the sagebrush and with the excess fuels there was no stopping the fire. Ranchers have been trying to get something done with the site and continue to be told that BLM is studying the issue. Need to harvest some of the grass. Where do we go to get this leased? Do we need to go to Congressman Rehberg, or Senator Baucus or Tester?

He would like to see opportunities for young farmers and ranchers. Harold stated that the bidding procedure for public land doesn't allow any differentiation to age. Lance supports the use, but sees the complexity of the issue. Will the young rancher need base property, use for summer or winter grazing, how do we accomplish multiple use? Gary supports having a feed base tied to the use of the area, supports local users. Initial contacts regarding the land exchange the commissioners and ranchers were

assured that grazing would be offered. He is very concerned about the excess fuels and fire danger. Public meetings at the inception of the exchange had provided enough public comment that BLM knew what use was wanted by the ranchers. He requests that decisions be made and something done with the site. Gary was directed to visit with Todd Yeager and Shane Findlay, BLM Field Office.

JT Korkow:

Chose to speak on his own behalf, not representing Congressman Rehberg; JT had proposed a USDA/ BLM Pumpkin Creek meeting to look at opportunities for young farmers. Has met with USDA and reviewed the concept of programs for young farmers and ranchers and they felt the project had great merit.

They have beginning farmer/rancher loans for operating funds and seed money for down payment on real estate. FSA will loan 100% of purchase price on cattle, but not the other expenses. BLM offers an opportunity for cheap leases, the price for private AUMs is \$25.00. JT's proposal for young ranchers would be one ten year term permit. This would allow a young rancher to pay off their cowherd and then know that they would have to move off after ten years. These ranchers would be familiar with the multiple use concepts and might be more willing to open up more access.

Lance understands the economic benefit for the young rancher, but how do we select the person who will receive that preference? His concern would be the possibility of changes to the historical system of determining preference and what the future might hold for ranchers.

Robert asked what the RAC could do. JT responded that the RAC is an advisory group to the BLM and wants to have them on board with this concept. JT will work with BLM, other agencies and representatives to determine regulations that would require change.

Bernie urged JT to schedule the BLM and USDA meeting. This is a problem that needs to be addressed, use and young ranchers, so he encouraged him to continue his efforts on the proposal. Tim asked about ways to establish considerations and criteria that would eliminate the potential for preferential treatment and result in continued and better multiple use.

Dean Seifert:

Stated concerns with limited RAC tours of Pumpkin Creek compared to statements in the briefing papers; Talked about the status and history of the State land that remains intermingled with BLM parcels in Pumpkin Creek R.A.; talked about the mineral rights that are part of the Pumpkin Creek Recreation site and split estate. Mr. Seifert became argumentative with the council and was escorted from the premises by law enforcement when he refused to desist.

RAC Discussion:

Tim asked about the grazing lease for new allotments in the Pumpkin Creek area. Elaine stated that it was her full intent that there would be grazing on some areas of the site. She noted the working group that the RAC was coordinating to develop a plan based on the preferred alternative in the RMP.

Bernie is familiar with the history of the Miles City RMP and the length of time needed to complete the document and determine the preferred alternative. He appreciates the priorities that have slowed the completion, but would like to see a plan for Pumpkin Creek be completed timelier. He is concerned and frustrated and hears the frustration of the public. He recognizes the process that must be followed and realizes that it will be two years before plans can be completed.

Shane reviewed the summer projects that are planned; an upland rangeland health assessments is scheduled and invited them to participate.

Lance asked if there was a working group assessing plans for any grazing on the allotment. Elaine noted that grazing is a key part of the use and a long term commitment. Where BLM is able, can complete the current plantings right now. Elaine stated that all efforts are pieces that are being put together so when the RMP is completed, the decisions could be made for specific use of the area.

Jerry would like to see grassland management now and asked if the RMP addresses this. Bill asked about temporary grazing. Elaine responded that the process and timeframe is almost as complex as a regular permit. Bill asked about how fire management was accomplished and what could be done to protect private landowners. Elaine stated this need to be addressed, but noted that the fuels management program funding has been decreased by 50%.

Harold asked about the possibility of a pilot project of leasing to new ranchers. Jim stated there isn't a legal way to limit applications by age. Todd answered that this would require legislative action and changes to the Taylor Grazing Act to change the criteria but this could affect current BLM operators in the future; Federal and State entities can't hold a grazing permit.

The RAC would like Dwayne and Dave share what had been done with access issues in the past at a RAC meeting sometime in the future. Robert suggested that other agencies and organizations also be included in the meeting. Would this issue require a subcommittee, interim meeting or be an agenda item for the next RAC meeting?

Bill proposed a working lunch at the next RAC meeting for further discussion. Dave noted that as a group, the RAC could take on a project that BLM was not staffed or able to accomplish.

BiFO Access- Jim Sparks

Requested that the RAC recommend their preference or support BiFOs approach to setting priorities for access. There are many opportunities to obtain access, but resources and employees are limited.

Jim reviewed the past access success sites, Bad Canyon, Weatherman Draw, Meeteetse Spires, Young's Point and Pompey's Pillar. The Yellowstone River has been proposed to be a special recreation management area which provides opportunity to compete for funding of projects.

Priorities for the office are:

- 1) Young's Point in Stillwater County, the conservation Fund is contacting landowners to try to obtain an easement or purchase access this corridor
- 2) Pompey's Pillar National Monument-just below the pillar is a farm in private ownership; would prefer not to have this developed for commercial use. Jim has contacted owner and discussed the possibility of area remaining in farm status, BLM purchasing, placing it in a conservation plan.

The Yellowstone county commissioners may entertain transfer of the bridge. Maintenance funds are available from the county. Jim has funds to purchase eight or nine acres that are an in-holding in the Pompey's area. The party isn't interested in a sale at this time, five family members are owners.

The RAC supports the effort to obtain these sites. Bill recommends that Clark's Camp area be considered.

MCFO Access –Kirk Anderson

Kirk provided a handout that identifies the criteria MCFO access team uses to determine which sites will become priority locations. The criteria are based on size, cost and complexity.

The BLM is cooperating with FWP Region 6 to acquire access on the Missouri River and in McCone County. Miles City FO has over 100 potential access projects. The handout indicates the site category and the process required to acquire it. One goal is to develop a plan to connect public lands. BLM has contacted Prairie, Carter and Fallon counties regarding the possibility of BLM taking over maintenance on some public roads.

John and Robert asked Shane to include the RAC Access subcommittee on a fieldtrip of roads this summer. Bill reviewed the process required to abandon a public road. A mitigation project on the Tongue River is being studied. Spring Creek Coal provided some funding to develop an area which may include a boat ramp and fishing access. BLM requested recommendations from the RAC for any public access projects on the Tongue River.

Buffalo berry, chokecherry and willow cuttings will be planted on Pumpkin Creek this spring. Some grazing exclosures will be built to decrease browse and to study long-

term trends. An assessment will be completed on the upland range that was acquired in the final exchange. The ID team is scheduled for June 7-9 meeting. The S&G evaluates upland, riparian, habitat, water and air quality concerns. These regulations have been in place since 1995.

Shane responded to questions about Pumpkin Creek Recreation site and the planned management for the area:

The BLM will look at the RMP and the preferred alternative and develop a management plan for the site. The RMP will be the tool that is used to determine what areas will be grazed and which would be excluded for other uses. The RMP will give MCFO sideboards to make decisions that might decrease potential conflicts like grazing and OHV use.

He asked that the RAC start working through the plan for Pumpkin Creek at the same time the MCFO RMP is going through the review process. The preferred alternative could be used as the sideboard, may be some changes in the final document, but should be fairly consistent to begin developing a plan. By the time the ROD is signed for the RMP, he hopes to have a Pumpkin Creek management plan ready to be implemented.

Elaine stated that the Pumpkin Creek working group that had been proposed would be a broad group that would be sponsored by the RAC. A meeting in August or September to tour the site and consider the preferred alternative would really help BLM begin this process. Numerous groups have expressed interest in the proposed use and we want your assistance in determining what the final plan will be. There are two sections of State land that are landlocked by BLM. We were unable to purchase those sites but hope to facilitate an exchange in the future. The State currently leases the area for grazing as they need to collect funds for State programs. BLM received mineral rights with this exchange from Tom Pezzarossi, but a title search was not conducted, so there may be additional mineral right owners. We will be conducting that search in the next few months.

Weatherman Draw subcommittee was discussed. There aren't any leases in the area; the oil company has donated them to the Trust of Historical Preservation. The area has been managed as an ACEC. Recommendations for management have been addressed in the BiFO RMP. Access has been obtained, some roads have been closed. Some unauthorized use, but most come in through the private landowner boundary.

Harold commented that the plan seems to be in place and that BLM is in an implementation and enforcement phase now; No new management issues so he doesn't see a need for a subcommittee.

Howard would like to see more protection for the area and supports a subcommittee until the area is enlarged.

Jim stated that the area is an ACEC and the designation requires special management. He proposed a field trip for the August meeting. The RAC will consider a subcommittee at that time.

Mark requested input regarding the electronic updates that are sent out versus agenda items. Bernie appreciates the updates of BLM in the news that are sent out.

Bernie proposed another statewide RAC meeting. The Dakota RACs also are interested in a conference. Mark will follow up with this.

Next Meeting:

August 24-25, 2011 in Billings

Agenda items for consideration: Weatherman Draw subcommittee